

E-FILED 10/11/2007

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PIOTR J. GARDIAS,
Plaintiff,
v.

No. C04-04086 HRL

Consolidated With: C04-04768 HRL
C05-01242 HRL
C05-01833 HRL
C06-04695 HRL

SAN JOSE STATE UNIVERSITY,
Defendant.

**ORDER DENYING PLAINTIFF'S
MOTION FOR LEAVE TO FILE SUR-
REPLY**

[Docket No. 303]

On October 2, 2007, plaintiff filed a "Motion To Extend Time and to allow plaintiff answer to defendant's Reply To Plaintiff's Opposition to Defendant's Motion for Terminating Sanctions." This court construes the motion as one seeking leave to file a sur-reply on defendant's motion for terminating sanctions, which is set for hearing on October 16, 2007.

The court finds that no further briefing on that motion is warranted. Accordingly, plaintiff's request for leave to file a sur-reply is denied. To the extent plaintiff wishes to address assertions made by defendant in its reply brief, he may bring those matters to the court's attention at the October 16, 2007 motion hearing.

IT IS SO ORDERED.

Dated: October 11, 2007


HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

A copy of this document will be mailed to:

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